

AMENDED IN ASSEMBLY AUGUST 22, 2014

SENATE BILL

No. 1141

Introduced by Senator Hancock

February 20, 2014

An act to amend Section 1095 of the Unemployment Insurance Code, relating to unemployment insurance.

LEGISLATIVE COUNSEL'S DIGEST

SB 1141, as amended, Hancock. Unemployment insurance: use of information.

Under existing law, the information obtained in the administration of the Unemployment Insurance Code is for the exclusive use and information of the Director of Employment Development in the discharge of his or her duties and is not open to the public. However, existing law permits the use of the information for specified purposes, and allows the director to require reimbursement for direct costs incurred. Existing law provides that a person who knowingly accesses, uses, or discloses this confidential information without authorization is guilty of a misdemeanor.

This bill would require the Director of Employment Development to permit the use of any information in his or her possession to enable the Department of Corrections and Rehabilitation to obtain quarterly wage data of former inmates who have been incarcerated within the prison system in order to assess the impact of rehabilitation services or the lack of these services on the employment and earnings of these former inmates. By requiring this information to be provided to the Department of Corrections and Rehabilitation for these purposes, this bill would expand the crime of unauthorized access, use, or disclosure of this information, and would impose a state-mandated local program.

This bill would incorporate additional changes to Section 1095 of the Unemployment Insurance Code proposed by SB 1028 and AB 1792, to be operative if this bill and one or both or the other bills are enacted and become effective on or before January 1, 2006, and this bill is enacted last.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 1095 of the Unemployment Insurance
2 Code is amended to read:
3 1095. The director shall permit the use of any information in
4 his or her possession to the extent necessary for any of the
5 following purposes and may require reimbursement for all direct
6 costs incurred in providing any and all information specified in
7 this section, except information specified in subdivisions (a) to
8 (e), inclusive:
9 (a) To enable the director or his or her representative to carry
10 out his or her responsibilities under this code.
11 (b) To properly present a claim for benefits.
12 (c) To acquaint a worker or his or her authorized agent with his
13 or her existing or prospective right to benefits.
14 (d) To furnish an employer or his or her authorized agent with
15 information to enable him or her to fully discharge his or her
16 obligations or safeguard his or her rights under this division or
17 Division 3 (commencing with Section 9000).
18 (e) To enable an employer to receive a reduction in contribution
19 rate.
20 (f) To enable federal, state, or local ~~government~~ *governmental*
21 departments or agencies, subject to federal law, to verify or
22 determine the eligibility or entitlement of an applicant for, or a
23 recipient of, public social services provided pursuant to Division
24 9 (commencing with Section 10000) of the Welfare and Institutions
25 Code, or Part A of Title IV of the federal Social Security Act (42

1 U.S.C. Sec. 601 et seq.), where the verification or determination
2 is directly connected with, and limited to, the administration of
3 public social services.

4 (g) To enable county administrators of general relief or
5 assistance, or their representatives, to determine entitlement to
6 locally provided general relief or assistance, where the
7 determination is directly connected with, and limited to, the
8 administration of general relief or assistance.

9 (h) To enable state or local governmental departments or
10 agencies to seek criminal, civil, or administrative remedies in
11 connection with the unlawful application for, or receipt of, relief
12 provided under Division 9 (commencing with Section 10000) of
13 the Welfare and Institutions Code or to enable the collection of
14 expenditures for medical assistance services pursuant to Part 5
15 (commencing with Section 17000) of Division 9 of the Welfare
16 and Institutions Code.

17 (i) To provide any law enforcement agency with the name,
18 address, telephone number, birth date, social security number,
19 physical description, and names and addresses of present and past
20 employers, of any victim, suspect, missing person, potential
21 witness, or person for whom a felony arrest warrant has been
22 issued, when a request for this information is made by any
23 investigator or peace officer as defined by Sections 830.1 and
24 830.2 of the Penal Code, or by any federal law enforcement officer
25 to whom the Attorney General has delegated authority to enforce
26 federal search warrants, as defined under Sections 60.2 and 60.3
27 of Title 28 of the Code of Federal Regulations, as amended, and
28 when the requesting officer has been designated by the head of
29 the law enforcement agency and requests this information in the
30 course of and as a part of an investigation into the commission of
31 a crime when there is a reasonable suspicion that the crime is a
32 felony and that the information would lead to relevant evidence.
33 The information provided pursuant to this subdivision shall be
34 provided to the extent permitted by federal law and regulations,
35 and to the extent the information is available and accessible within
36 the constraints and configurations of existing department records.
37 Any person who receives any information under this subdivision
38 shall make a written report of the information to the law
39 enforcement agency that employs him or her, for filing under the
40 normal procedures of that agency.

1 (1) This subdivision shall not be construed to authorize the
2 release to any law enforcement agency of a general list identifying
3 individuals applying for or receiving benefits.

4 (2) The department shall maintain records pursuant to this
5 subdivision only for periods required under regulations or statutes
6 enacted for the administration of its programs.

7 (3) This subdivision shall not be construed as limiting the
8 information provided to law enforcement agencies to that pertaining
9 only to applicants for, or recipients of, benefits.

10 (4) The department shall notify all applicants for benefits that
11 release of confidential information from their records will not be
12 protected should there be a felony arrest warrant issued against
13 the applicant or in the event of an investigation by a law
14 enforcement agency into the commission of a felony.

15 (j) To provide public employee retirement systems in California
16 with information relating to the earnings of any person who has
17 applied for or is receiving a disability income, disability allowance,
18 or disability retirement allowance, from a public employee
19 retirement system. The earnings information shall be released only
20 upon written request from the governing board specifying that the
21 person has applied for or is receiving a disability allowance or
22 disability retirement allowance from its retirement system. The
23 request may be made by the chief executive officer of the system
24 or by an employee of the system so authorized and identified by
25 name and title by the chief executive officer in writing.

26 (k) To enable the Division of Labor Standards Enforcement in
27 the Department of Industrial Relations to seek criminal, civil, or
28 administrative remedies in connection with the failure to pay, or
29 the unlawful payment of, wages pursuant to Chapter 1
30 (commencing with Section 200) of Part 1 of Division 2 of, and
31 Chapter 1 (commencing with Section 1720) of Part 7 of Division
32 2 of, the Labor Code.

33 (l) To enable federal, state, or local governmental departments
34 or agencies to administer child support enforcement programs
35 under Part D of Title IV of the federal Social Security Act (42
36 U.S.C. Sec. 651 et seq.).

37 (m) To provide federal, state, or local governmental departments
38 or agencies with wage and claim information in its possession that
39 will assist those departments and agencies in the administration
40 of the Victims of Crime Program or in the location of victims of

1 crime who, by state mandate or court order, are entitled to
2 restitution that has been or can be recovered.

3 (n) To provide federal, state, or local governmental departments
4 or agencies with information concerning any individuals who are
5 or have been:

6 (1) Directed by state mandate or court order to pay restitution,
7 fines, penalties, assessments, or fees as a result of a violation of
8 law.

9 (2) Delinquent or in default on guaranteed student loans or who
10 owe repayment of funds received through other financial assistance
11 programs administered by those agencies. The information released
12 by the director for the purposes of this paragraph shall not include
13 unemployment insurance benefit information.

14 (o) To provide an authorized governmental agency with any or
15 all relevant information that relates to any specific workers'
16 compensation insurance fraud investigation. The information shall
17 be provided to the extent permitted by federal law and regulations.
18 For the purposes of this subdivision, "authorized governmental
19 agency" means the district attorney of any county, the office of
20 the Attorney General, the Contractors' State License Board, the
21 Department of Industrial Relations, and the Department of
22 Insurance. An authorized governmental agency may disclose this
23 information to the State Bar, the Medical Board of California, or
24 any other licensing board or department whose licensee is the
25 subject of a workers' compensation insurance fraud investigation.
26 This subdivision shall not prevent any authorized governmental
27 agency from reporting to any board or department the suspected
28 misconduct of any licensee of that body.

29 (p) To enable the Director of Consumer Affairs, or his or her
30 representatives, to access unemployment insurance quarterly wage
31 data on a case-by-case basis to verify information on school
32 administrators, school staff, and students provided by those schools
33 who are being investigated for possible violations of Chapter 8
34 (commencing with Section 94800) of Part 59 of Division 10 of
35 Title 3 of the Education Code.

36 (q) To provide employment tax information to the tax officials
37 of Mexico, if a reciprocal agreement exists. For purposes of this
38 subdivision, "reciprocal agreement" means a formal agreement to
39 exchange information between national taxing officials of Mexico
40 and taxing authorities of the State Board of Equalization, the

1 Franchise Tax Board, and the Employment Development
2 Department. Furthermore, the reciprocal agreement shall be limited
3 to the exchange of information that is essential for tax
4 administration purposes only. Taxing authorities of the State of
5 California shall be granted tax information only on California
6 residents. Taxing authorities of Mexico shall be granted tax
7 information only on Mexican nationals.

8 (r) To enable city and county planning agencies to develop
9 economic forecasts for planning purposes. The information shall
10 be limited to businesses within the jurisdiction of the city or county
11 whose planning agency is requesting the information, and shall
12 not include information regarding individual employees.

13 (s) To provide the State Department of Developmental Services
14 with wage and employer information that will assist in the
15 collection of moneys owed by the recipient, parent, or any other
16 legally liable individual for services and supports provided pursuant
17 to Chapter 9 (commencing with Section 4775) of Division 4.5 of,
18 and Chapter 2 (commencing with Section 7200) and Chapter 3
19 (commencing with Section 7500) of Division 7 of, the Welfare
20 and Institutions Code.

21 (t) To provide the State Board of Equalization with employment
22 tax information that will assist in the administration of tax
23 programs. The information shall be limited to the exchange of
24 employment tax information essential for tax administration
25 purposes to the extent permitted by federal law and regulations.

26 (u) Nothing in this section shall be construed to authorize or
27 permit the use of information obtained in the administration of this
28 code by any private collection agency.

29 (v) The disclosure of the name and address of an individual or
30 business entity that was issued an assessment that included
31 penalties under Section 1128 or 1128.1 shall not be in violation
32 of Section 1094 if the assessment is final. The disclosure may also
33 include any of the following:

34 (1) The total amount of the assessment.

35 (2) The amount of the penalty imposed under Section 1128 or
36 1128.1 that is included in the assessment.

37 (3) The facts that resulted in the charging of the penalty under
38 Section 1128 or 1128.1.

1 (w) To enable the Contractors' State License Board to verify
2 the employment history of an individual applying for licensure
3 pursuant to Section 7068 of the Business and Professions Code.

4 (x) To provide any peace officer with the Division of
5 Investigation in the Department of Consumer Affairs information
6 pursuant to subdivision (i) when the requesting peace officer has
7 been designated by the chief of the Division of Investigation and
8 requests this information in the course of and as part of an
9 investigation into the commission of a crime or other unlawful act
10 when there is reasonable suspicion to believe that the crime or act
11 may be connected to the information requested and would lead to
12 relevant information regarding the crime or unlawful act.

13 (y) To enable the Labor Commissioner of the Division of Labor
14 Standards Enforcement in the Department of Industrial Relations
15 to identify, pursuant to Section 90.3 of the Labor Code, unlawfully
16 uninsured employers. The information shall be provided to the
17 extent permitted by federal law and regulations.

18 (z) To enable the Chancellor of the California Community
19 Colleges, in accordance with the requirements of Section 84754.5
20 of the Education Code, to obtain quarterly wage data, commencing
21 January 1, 1993, on students who have attended one or more
22 community colleges, to assess the impact of education on the
23 employment and earnings of students, to conduct the annual
24 evaluation of district-level and individual college performance in
25 achieving priority educational outcomes, and to submit the required
26 reports to the Legislature and the Governor. The information shall
27 be provided to the extent permitted by federal statutes and
28 regulations.

29 (aa) To enable the Public Employees' Retirement System to
30 seek criminal, civil, or administrative remedies in connection with
31 the unlawful application for, or receipt of, benefits provided under
32 Part 3 (commencing with Section 20000) of Division 5 of Title 2
33 of the Government Code.

34 (ab) To enable the State Department of Education, the University
35 of California, the California State University, and the Chancellor
36 of the California Community Colleges, pursuant to the
37 requirements prescribed by the federal American Recovery and
38 Reinvestment Act of 2009 (Public Law 111-5), to obtain quarterly
39 wage data, commencing July 1, 2010, on students who have
40 attended their respective systems to assess the impact of education

1 on the employment and earnings of those students, to conduct the
2 annual analysis of district-level and individual district or
3 postsecondary education system performance in achieving priority
4 educational outcomes, and to submit the required reports to the
5 Legislature and the Governor. The information shall be provided
6 to the extent permitted by federal statutes and regulations.

7 (ac) To provide the Agricultural Labor Relations Board with
8 employee, wage, and employer information, for use in the
9 investigation or enforcement of the
10 Alatorre-Zenovich-Dunlap-Berman Agricultural Labor Relations
11 Act of 1975 (Part 3.5 (commencing with Section 1140) of Division
12 2 of the Labor Code). The information shall be provided to the
13 extent permitted by federal statutes and regulations.

14 (ad) (1) To enable the State Department of Health Care
15 Services, the California Health Benefit Exchange, the Managed
16 Risk Medical Insurance Board, and county departments and
17 agencies to obtain information regarding employee wages,
18 California employer names and account numbers, employer reports
19 of wages and number of employees, and disability insurance and
20 unemployment insurance claim information, for the purpose of:

21 (A) Verifying or determining the eligibility of an applicant for,
22 or a recipient of, state health subsidy programs, limited to the
23 Medi-Cal program, provided pursuant to Chapter 7 (commencing
24 with Section 14000) of Part 3 of Division 9 of the Welfare and
25 Institutions Code; the Healthy Families Program, provided pursuant
26 to Part 6.2 (commencing with Section 12693) of Division 2 of the
27 Insurance Code; and the Access for Infants and Mothers Program,
28 provided pursuant to Part 6.3 (commencing with Section 12695)
29 of Division 2 of the Insurance Code; where the verification or
30 determination is directly connected with, and limited to, the
31 administration of the state health subsidy programs referenced in
32 this subparagraph.

33 (B) Verifying or determining the eligibility of an applicant for,
34 or a recipient of, federal subsidies offered through the California
35 Health Benefit Exchange, provided pursuant to Title 22
36 (commencing with Section 100500) of the Government Code,
37 including federal tax credits and cost-sharing assistance pursuant
38 to the federal Patient Protection and Affordable Care Act (Public
39 Law 111-148), as amended by the federal Health Care and
40 Education Reconciliation Act of 2010 (Public Law 111-152), where

1 the verification or determination is directly connected with, and
2 limited to, the administration of the California Health Benefit
3 Exchange.

4 (C) Verifying or determining the eligibility of employees and
5 employers for health coverage through the Small Business Health
6 Options Program, provided pursuant to Section 100502 of the
7 Government Code, where the verification or determination is
8 directly connected with, and limited to, the administration of the
9 Small Business Health Options Program.

10 (2) The information provided under this subdivision shall be
11 subject to the requirements of, and provided to the extent permitted
12 by, federal law and regulations, including Part 603 of Title 20 of
13 the Code of Federal Regulations.

14 (ae) To provide any peace officer with the Investigations
15 Division of the Department of Motor Vehicles with information
16 pursuant to subdivision (i), when the requesting peace officer has
17 been designated by the Chief of the Investigations Division and
18 requests this information in the course of, and as part of, an
19 investigation into identity theft, counterfeiting, document fraud,
20 or consumer fraud, and there is reasonable suspicion that the crime
21 is a felony and that the information would lead to relevant evidence
22 regarding the identity theft, counterfeiting, document fraud, or
23 consumer fraud. The information provided pursuant to this
24 subdivision shall be provided to the extent permitted by federal
25 law and regulations, and to the extent the information is available
26 and accessible within the constraints and configurations of existing
27 department records. Any person who receives any information
28 under this subdivision shall make a written report of the
29 information to the Investigations Division of the Department of
30 Motor Vehicles, for filing under the normal procedures of that
31 division.

32 (af) To enable the Department of Corrections and Rehabilitation
33 to obtain quarterly wage data of former inmates who have been
34 incarcerated within the prison system in order to assess the impact
35 of rehabilitation services or the lack of these services on the
36 employment and earnings of these former inmates. Quarterly data
37 for a former inmate's employment status and wage history shall
38 be provided for a period of one year, three years, and five years
39 following release. The data shall only be used for the purpose of
40 tracking outcomes for former inmates in order to assess the

1 effectiveness of rehabilitation strategies on the wages and
2 employment histories of those formerly incarcerated. The
3 information shall be provided to the department to the extent not
4 prohibited by federal law.

5 *SEC. 1.2. Section 1095 of the Unemployment Insurance Code*
6 *is amended to read:*

7 1095. The director shall permit the use of any information in
8 his or her possession to the extent necessary for any of the
9 following purposes and may require reimbursement for all direct
10 costs incurred in providing any and all information specified in
11 this section, except information specified in subdivisions (a) to
12 (e), inclusive:

13 (a) To enable the director or his or her representative to carry
14 out his or her responsibilities under this code.

15 (b) To properly present a claim for benefits.

16 (c) To acquaint a worker or his or her authorized agent with his
17 or her existing or prospective right to benefits.

18 (d) To furnish an employer or his or her authorized agent with
19 information to enable him or her to fully discharge his or her
20 obligations or safeguard his or her rights under this division or
21 Division 3 (commencing with Section 9000).

22 (e) To enable an employer to receive a reduction in contribution
23 rate.

24 (f) To enable federal, state, or local ~~government~~ *governmental*
25 departments or agencies, subject to federal law, to verify or
26 determine the eligibility or entitlement of an applicant for, or a
27 recipient of, public social services provided pursuant to Division
28 9 (commencing with Section 10000) of the Welfare and Institutions
29 Code, or Part A of Title IV of the ~~Social Security Act~~, *federal*
30 *Social Security Act (42 U.S.C. Sec. 601 et seq.)*, where the
31 verification or determination is directly connected with, and limited
32 to, the administration of public social services.

33 (g) To enable county administrators of general relief or
34 assistance, or their representatives, to determine entitlement to
35 locally provided general relief or assistance, where the
36 determination is directly connected with, and limited to, the
37 administration of general relief or assistance.

38 (h) To enable state or local governmental departments or
39 agencies to seek criminal, civil, or administrative remedies in
40 connection with the unlawful application for, or receipt of, relief

1 provided under Division 9 (commencing with Section 10000) of
2 the Welfare and Institutions Code or to enable the collection of
3 expenditures for medical assistance services pursuant to Part 5
4 (commencing with Section 17000) of Division 9 of the Welfare
5 and Institutions Code.

6 (i) To provide any law enforcement agency with the name,
7 address, telephone number, birth date, social security number,
8 physical description, and names and addresses of present and past
9 employers, of any victim, suspect, missing person, potential
10 witness, or person for whom a felony arrest warrant has been
11 issued, when a request for this information is made by any
12 investigator or peace officer as defined by Sections 830.1 and
13 830.2 of the Penal Code, or by any federal law enforcement officer
14 to whom the Attorney General has delegated authority to enforce
15 federal search warrants, as defined under Sections 60.2 and 60.3
16 of Title 28 of the Code of Federal Regulations, as amended, and
17 when the requesting officer has been designated by the head of
18 the law enforcement agency and requests this information in the
19 course of and as a part of an investigation into the commission of
20 a crime when there is a reasonable suspicion that the crime is a
21 felony and that the information would lead to relevant evidence.
22 The information provided pursuant to this subdivision shall be
23 provided to the extent permitted by federal law and regulations,
24 and to the extent the information is available and accessible within
25 the constraints and configurations of existing department records.
26 Any person who receives any information under this subdivision
27 shall make a written report of the information to the law
28 enforcement agency that employs him or her, for filing under the
29 normal procedures of that agency.

30 (1) This subdivision shall not be construed to authorize the
31 release to any law enforcement agency of a general list identifying
32 individuals applying for or receiving benefits.

33 (2) The department shall maintain records pursuant to this
34 subdivision only for periods required under regulations or statutes
35 enacted for the administration of its programs.

36 (3) This subdivision shall not be construed as limiting the
37 information provided to law enforcement agencies to that pertaining
38 only to applicants for, or recipients of, benefits.

39 (4) The department shall notify all applicants for benefits that
40 release of confidential information from their records will not be

1 protected should there be a felony arrest warrant issued against
2 the applicant or in the event of an investigation by a law
3 enforcement agency into the commission of a felony.

4 (j) To provide public employee retirement systems in California
5 with information relating to the earnings of any person who has
6 applied for or is receiving a disability income, disability allowance,
7 or disability retirement allowance, from a public employee
8 retirement system. The earnings information shall be released only
9 upon written request from the governing board specifying that the
10 person has applied for or is receiving a disability allowance or
11 disability retirement allowance from its retirement system. The
12 request may be made by the chief executive officer of the system
13 or by an employee of the system so authorized and identified by
14 name and title by the chief executive officer in writing.

15 (k) To enable the Division of Labor Standards Enforcement in
16 the Department of Industrial Relations to seek criminal, civil, or
17 administrative remedies in connection with the failure to pay, or
18 the unlawful payment of, wages pursuant to Chapter 1
19 (commencing with Section 200) of Part 1 of Division 2 of, and
20 Chapter 1 (commencing with Section 1720) of Part 7 of Division
21 2 of, the Labor Code.

22 (l) To enable federal, state, or local governmental departments
23 or agencies to administer child support enforcement programs
24 under *Part D* of Title IV of the federal Social Security Act (42
25 U.S.C. Sec. 651 et seq.).

26 (m) To provide federal, state, or local governmental departments
27 or agencies with wage and claim information in its possession that
28 will assist those departments and agencies in the administration
29 of the Victims of Crime Program or in the location of victims of
30 crime who, by state mandate or court order, are entitled to
31 restitution that has been or can be recovered.

32 (n) To provide federal, state, or local governmental departments
33 or agencies with information concerning any individuals who are
34 or have been:

35 (1) Directed by state mandate or court order to pay restitution,
36 fines, penalties, assessments, or fees as a result of a violation of
37 law.

38 (2) Delinquent or in default on guaranteed student loans or who
39 owe repayment of funds received through other financial assistance
40 programs administered by those agencies. The information released

1 by the director for the purposes of this paragraph shall not include
2 unemployment insurance benefit information.

3 (o) To provide an authorized governmental agency with any or
4 all relevant information that relates to any specific workers'
5 compensation insurance fraud investigation. The information shall
6 be provided to the extent permitted by federal law and regulations.
7 For the purposes of this subdivision, "authorized governmental
8 agency" means the district attorney of any county, the office of
9 the Attorney General, the Contractors' State License Board, the
10 Department of Industrial Relations, and the Department of
11 Insurance. An authorized governmental agency may disclose this
12 information to the State Bar, the Medical Board of California, or
13 any other licensing board or department whose licensee is the
14 subject of a workers' compensation insurance fraud investigation.
15 This subdivision shall not prevent any authorized governmental
16 agency from reporting to any board or department the suspected
17 misconduct of any licensee of that body.

18 (p) To enable the Director of ~~the Bureau for Private~~
19 ~~Postsecondary Education~~, *Consumer Affairs*, or his or her
20 representatives, to access unemployment insurance quarterly wage
21 data on a case-by-case basis to verify information on school
22 administrators, school staff, and students provided by those schools
23 who are being investigated for possible violations of Chapter 8
24 (commencing with Section 94800) of Part 59 of Division 10 of
25 Title 3 of the Education Code.

26 (q) To provide employment tax information to the tax officials
27 of Mexico, if a reciprocal agreement exists. For purposes of this
28 subdivision, "reciprocal agreement" means a formal agreement to
29 exchange information between national taxing officials of Mexico
30 and taxing authorities of the State Board of Equalization, the
31 Franchise Tax Board, and the Employment Development
32 Department. Furthermore, the reciprocal agreement shall be limited
33 to the exchange of information that is essential for tax
34 administration purposes only. Taxing authorities of the State of
35 California shall be granted tax information only on California
36 residents. Taxing authorities of Mexico shall be granted tax
37 information only on Mexican nationals.

38 (r) To enable city and county planning agencies to develop
39 economic forecasts for planning purposes. The information shall
40 be limited to businesses within the jurisdiction of the city or county

1 whose planning agency is requesting the information, and shall
2 not include information regarding individual employees.

3 (s) To provide the State Department of Developmental Services
4 with wage and employer information that will assist in the
5 collection of moneys owed by the recipient, parent, or any other
6 legally liable individual for services and supports provided pursuant
7 to Chapter 9 (commencing with Section 4775) of Division 4.5 of,
8 and Chapter 2 (commencing with Section 7200) and Chapter 3
9 (commencing with Section 7500) of Division 7 of, the Welfare
10 and Institutions Code.

11 (t) To provide the State Board of Equalization with employment
12 tax information that will assist in the administration of tax
13 programs. The information shall be limited to the exchange of
14 employment tax information essential for tax administration
15 purposes to the extent permitted by federal law and regulations.

16 (u) Nothing in this section shall be construed to authorize or
17 permit the use of information obtained in the administration of this
18 code by any private collection agency.

19 (v) The disclosure of the name and address of an individual or
20 business entity that was issued an assessment that included
21 penalties under Section 1128 or 1128.1 shall not be in violation
22 of Section 1094 if the assessment is final. The disclosure may also
23 include any of the following:

24 (1) The total amount of the assessment.

25 (2) The amount of the penalty imposed under Section 1128 or
26 1128.1 that is included in the assessment.

27 (3) The facts that resulted in the charging of the penalty under
28 Section 1128 or 1128.1.

29 (w) To enable the Contractors' State License Board to verify
30 the employment history of an individual applying for licensure
31 pursuant to Section 7068 of the Business and Professions Code.

32 (x) To provide any peace officer with the Division of
33 Investigation in the Department of Consumer Affairs information
34 pursuant to subdivision (i) when the requesting peace officer has
35 been designated by the ~~Chief~~ *chief* of the Division of Investigation
36 and requests this information in the course of and as part of an
37 investigation into the commission of a crime or other unlawful act
38 when there is reasonable suspicion to believe that the crime or act
39 may be connected to the information requested and would lead to
40 relevant information regarding the crime or unlawful act.

1 (y) To enable the Labor Commissioner of the Division of Labor
2 Standards Enforcement in the Department of Industrial Relations
3 to identify, pursuant to Section 90.3 of the Labor Code, unlawfully
4 uninsured employers. The information shall be provided to the
5 extent permitted by federal law and regulations.

6 (z) To enable the Chancellor of the California Community
7 Colleges, in accordance with the requirements of Section 84754.5
8 of the Education Code, to obtain quarterly wage data, commencing
9 January 1, 1993, on students who have attended one or more
10 community colleges, to assess the impact of education on the
11 employment and earnings of students, to conduct the annual
12 evaluation of district-level and individual college performance in
13 achieving priority educational outcomes, and to submit the required
14 reports to the Legislature and the Governor. The information shall
15 be provided to the extent permitted by federal statutes and
16 regulations.

17 (aa) To enable the Public Employees' Retirement System to
18 seek criminal, civil, or administrative remedies in connection with
19 the unlawful application for, or receipt of, benefits provided under
20 Part 3 (commencing with Section 20000) of Division 5 of Title 2
21 of the Government Code.

22 (ab) To enable the State Department of Education, the University
23 of California, the California State University, and the Chancellor
24 of the California Community Colleges, pursuant to the
25 requirements prescribed by the federal American Recovery and
26 Reinvestment Act of 2009 (Public Law 111-5), to obtain quarterly
27 wage data, commencing July 1, 2010, on students who have
28 attended their respective systems to assess the impact of education
29 on the employment and earnings of those students, to conduct the
30 annual analysis of district-level and individual district or
31 postsecondary education system performance in achieving priority
32 educational outcomes, and to submit the required reports to the
33 Legislature and the Governor. The information shall be provided
34 to the extent permitted by federal statutes and regulations.

35 (ac) To provide the Agricultural Labor Relations Board with
36 employee, wage, and employer information, for use in the
37 investigation or enforcement of the
38 Alatorre-Zenovich-Dunlap-Berman Agricultural Labor Relations
39 Act of 1975 (Part 3.5 (commencing with Section 1140) of Division

2 of the Labor Code). The information shall be provided to the extent permitted by federal statutes and regulations.

(ad) (1) To enable the State Department of Health Care Services, the California Health Benefit Exchange, the Managed Risk Medical Insurance Board, and county departments and agencies to obtain information regarding employee wages, California employer names and account numbers, employer reports of wages and number of employees, and disability insurance and unemployment insurance claim information, for the purpose of:

(A) Verifying or determining the eligibility of an applicant for, or a recipient of, state health subsidy programs, limited to the Medi-Cal Program, provided pursuant to Chapter 7 (commencing with Section 14000) of Part 3 of Division 9 of the Welfare and Institutions Code; the Healthy Families Program, provided pursuant to Part 6.2 (commencing with Section 12693) of Division 2 of the Insurance Code; and the Access for Infants and Mothers Program, provided pursuant to Part 6.3 (commencing with Section 12695) of Division 2 of the Insurance Code; where the verification or determination is directly connected with, and limited to, the administration of the state health subsidy programs referenced in this subparagraph.

(B) Verifying or determining the eligibility of an applicant for, or a recipient of, federal subsidies offered through the California Health Benefit Exchange, provided pursuant to Title 22 (commencing with Section 100500) of the Government Code, including federal tax credits and cost-sharing assistance pursuant to the federal Patient Protection and Affordable Care Act (Public Law 111-148), as amended by the federal Health Care and Education Reconciliation Act of 2010 (Public Law 111-152), where the verification or determination is directly connected with, and limited to, the administration of the California Health Benefit Exchange.

(C) Verifying or determining the eligibility of employees and employers for health coverage through the Small Business Health Options Program, provided pursuant to Section 100502 of the Government Code, where the verification or determination is directly connected with, and limited to, the administration of the Small Business Health Options Program.

(2) The information provided under this subdivision shall be subject to the requirements of, and provided to the extent permitted

1 by, federal law and regulations, including Part 603 of Title 20 of
2 the Code of Federal Regulations.

3 (ae) To provide any peace officer with the Investigations
4 Division of the Department of Motor Vehicles with information
5 pursuant to subdivision (i), when the requesting peace officer has
6 been designated by the Chief of the Investigations Division and
7 requests this information in the course of, and as part of, an
8 investigation into identity theft, counterfeiting, document fraud,
9 or consumer fraud, and there is reasonable suspicion that the crime
10 is a felony and that the information would lead to relevant evidence
11 regarding the identity theft, counterfeiting, document fraud, or
12 consumer fraud. The information provided pursuant to this
13 subdivision shall be provided to the extent permitted by federal
14 law and regulations, and to the extent the information is available
15 and accessible within the constraints and configurations of existing
16 department records. Any person who receives any information
17 under this subdivision shall make a written report of the
18 information to the Investigations Division of the Department of
19 Motor Vehicles, for filing under the normal procedures of that
20 division.

21 *(af) To enable the Department of Corrections and Rehabilitation*
22 *to obtain quarterly wage data of former inmates who have been*
23 *incarcerated within the prison system in order to assess the impact*
24 *of rehabilitation services or the lack of these services on the*
25 *employment and earnings of these former inmates. Quarterly data*
26 *for a former inmate's employment status and wage history shall*
27 *be provided for a period of one year, three years, and five years*
28 *following release. The data shall only be used for the purpose of*
29 *tracking outcomes for former inmates in order to assess the*
30 *effectiveness of rehabilitation strategies on the wages and*
31 *employment histories of those formerly incarcerated. The*
32 *information shall be provided to the department to the extent not*
33 *prohibited by federal law.*

34 *(ag) To provide, to the extent permitted by federal law and*
35 *regulations, the Student Aid Commission with wage information*
36 *in order to verify the employment status of an individual applying*
37 *for a Cal Grant C award pursuant to subdivision (c) of Section*
38 *69439 of the Education Code.*

39 *SEC. 1.5. Section 1095 of the Unemployment Insurance Code*
40 *is amended to read:*

1095. The director shall permit the use of any information in his or her possession to the extent necessary for any of the following purposes and may require reimbursement for all direct costs incurred in providing any and all information specified in this section, except information specified in subdivisions (a) to (e), inclusive:

(a) To enable the director or his or her representative to carry out his or her responsibilities under this code.

(b) To properly present a claim for benefits.

(c) To acquaint a worker or his or her authorized agent with his or her existing or prospective right to benefits.

(d) To furnish an employer or his or her authorized agent with information to enable him or her to fully discharge his or her obligations or safeguard his or her rights under this division or Division 3 (commencing with Section 9000).

(e) To enable an employer to receive a reduction in contribution rate.

(f) To enable federal, state, or local ~~government~~ *governmental* departments or agencies, subject to federal law, to verify or determine the eligibility or entitlement of an applicant for, or a recipient of, public social services provided pursuant to Division 9 (commencing with Section 10000) of the Welfare and Institutions Code, or Part A of Title IV of the ~~Social Security Act~~, *federal Social Security Act (42 U.S.C. Sec. 601 et seq.)*, where the verification or determination is directly connected with, and limited to, the administration of public social services.

(g) To enable county administrators of general relief or assistance, or their representatives, to determine entitlement to locally provided general relief or assistance, where the determination is directly connected with, and limited to, the administration of general relief or assistance.

(h) To enable state or local governmental departments or agencies to seek criminal, civil, or administrative remedies in connection with the unlawful application for, or receipt of, relief provided under Division 9 (commencing with Section 10000) of the Welfare and Institutions Code or to enable the collection of expenditures for medical assistance services pursuant to Part 5 (commencing with Section 17000) of Division 9 of the Welfare and Institutions Code.

1 (i) To provide any law enforcement agency with the name,
2 address, telephone number, birth date, social security number,
3 physical description, and names and addresses of present and past
4 employers, of any victim, suspect, missing person, potential
5 witness, or person for whom a felony arrest warrant has been
6 issued, when a request for this information is made by any
7 investigator or peace officer as defined by Sections 830.1 and
8 830.2 of the Penal Code, or by any federal law enforcement officer
9 to whom the Attorney General has delegated authority to enforce
10 federal search warrants, as defined under Sections 60.2 and 60.3
11 of Title 28 of the Code of Federal Regulations, as amended, and
12 when the requesting officer has been designated by the head of
13 the law enforcement agency and requests this information in the
14 course of and as a part of an investigation into the commission of
15 a crime when there is a reasonable suspicion that the crime is a
16 felony and that the information would lead to relevant evidence.
17 The information provided pursuant to this subdivision shall be
18 provided to the extent permitted by federal law and regulations,
19 and to the extent the information is available and accessible within
20 the constraints and configurations of existing department records.
21 Any person who receives any information under this subdivision
22 shall make a written report of the information to the law
23 enforcement agency that employs him or her, for filing under the
24 normal procedures of that agency.

25 (1) This subdivision shall not be construed to authorize the
26 release to any law enforcement agency of a general list identifying
27 individuals applying for or receiving benefits.

28 (2) The department shall maintain records pursuant to this
29 subdivision only for periods required under regulations or statutes
30 enacted for the administration of its programs.

31 (3) This subdivision shall not be construed as limiting the
32 information provided to law enforcement agencies to that pertaining
33 only to applicants for, or recipients of, benefits.

34 (4) The department shall notify all applicants for benefits that
35 release of confidential information from their records will not be
36 protected should there be a felony arrest warrant issued against
37 the applicant or in the event of an investigation by a law
38 enforcement agency into the commission of a felony.

39 (j) To provide public employee retirement systems in California
40 with information relating to the earnings of any person who has

1 applied for or is receiving a disability income, disability allowance,
2 or disability retirement allowance, from a public employee
3 retirement system. The earnings information shall be released only
4 upon written request from the governing board specifying that the
5 person has applied for or is receiving a disability allowance or
6 disability retirement allowance from its retirement system. The
7 request may be made by the chief executive officer of the system
8 or by an employee of the system so authorized and identified by
9 name and title by the chief executive officer in writing.

10 (k) To enable the Division of Labor Standards Enforcement in
11 the Department of Industrial Relations to seek criminal, civil, or
12 administrative remedies in connection with the failure to pay, or
13 the unlawful payment of, wages pursuant to Chapter 1
14 (commencing with Section 200) of Part 1 of Division 2 of, and
15 Chapter 1 (commencing with Section 1720) of Part 7 of Division
16 2 of, the Labor Code.

17 (l) To enable federal, state, or local governmental departments
18 or agencies to administer child support enforcement programs
19 under *Part D of* Title IV of the federal Social Security Act (42
20 U.S.C. Sec. 651 et seq.).

21 (m) To provide federal, state, or local governmental departments
22 or agencies with wage and claim information in its possession that
23 will assist those departments and agencies in the administration
24 of the Victims of Crime Program or in the location of victims of
25 crime who, by state mandate or court order, are entitled to
26 restitution that has been or can be recovered.

27 (n) To provide federal, state, or local governmental departments
28 or agencies with information concerning any individuals who are
29 or have been:

30 (1) Directed by state mandate or court order to pay restitution,
31 fines, penalties, assessments, or fees as a result of a violation of
32 law.

33 (2) Delinquent or in default on guaranteed student loans or who
34 owe repayment of funds received through other financial assistance
35 programs administered by those agencies. The information released
36 by the director for the purposes of this paragraph shall not include
37 unemployment insurance benefit information.

38 (o) To provide an authorized governmental agency with any or
39 all relevant information that relates to any specific workers'
40 compensation insurance fraud investigation. The information shall

1 be provided to the extent permitted by federal law and regulations.
2 For the purposes of this subdivision, “authorized governmental
3 agency” means the district attorney of any county, the office of
4 the Attorney General, the Contractors’ State License Board, the
5 Department of Industrial Relations, and the Department of
6 Insurance. An authorized governmental agency may disclose this
7 information to the State Bar, the Medical Board of California, or
8 any other licensing board or department whose licensee is the
9 subject of a workers’ compensation insurance fraud investigation.
10 This subdivision shall not prevent any authorized governmental
11 agency from reporting to any board or department the suspected
12 misconduct of any licensee of that body.

13 (p) To enable the Director of ~~the Bureau for Private~~
14 ~~Postsecondary Education~~, *Consumer Affairs*, or his or her
15 representatives, to access unemployment insurance quarterly wage
16 data on a case-by-case basis to verify information on school
17 administrators, school staff, and students provided by those schools
18 who are being investigated for possible violations of Chapter 8
19 (commencing with Section 94800) of Part 59 of Division 10 of
20 Title 3 of the Education Code.

21 (q) To provide employment tax information to the tax officials
22 of Mexico, if a reciprocal agreement exists. For purposes of this
23 subdivision, “reciprocal agreement” means a formal agreement to
24 exchange information between national taxing officials of Mexico
25 and taxing authorities of the State Board of Equalization, the
26 Franchise Tax Board, and the Employment Development
27 Department. Furthermore, the reciprocal agreement shall be limited
28 to the exchange of information that is essential for tax
29 administration purposes only. Taxing authorities of the State of
30 California shall be granted tax information only on California
31 residents. Taxing authorities of Mexico shall be granted tax
32 information only on Mexican nationals.

33 (r) To enable city and county planning agencies to develop
34 economic forecasts for planning purposes. The information shall
35 be limited to businesses within the jurisdiction of the city or county
36 whose planning agency is requesting the information, and shall
37 not include information regarding individual employees.

38 (s) To provide the State Department of Developmental Services
39 with wage and employer information that will assist in the
40 collection of moneys owed by the recipient, parent, or any other

1 legally liable individual for services and supports provided pursuant
2 to Chapter 9 (commencing with Section 4775) of Division 4.5 of,
3 and Chapter 2 (commencing with Section 7200) and Chapter 3
4 (commencing with Section 7500) of Division 7 of, the Welfare
5 and Institutions Code.

6 (t) To provide the State Board of Equalization with employment
7 tax information that will assist in the administration of tax
8 programs. The information shall be limited to the exchange of
9 employment tax information essential for tax administration
10 purposes to the extent permitted by federal law and regulations.

11 (u) Nothing in this section shall be construed to authorize or
12 permit the use of information obtained in the administration of this
13 code by any private collection agency.

14 (v) The disclosure of the name and address of an individual or
15 business entity that was issued an assessment that included
16 penalties under Section 1128 or 1128.1 shall not be in violation
17 of Section 1094 if the assessment is final. The disclosure may also
18 include any of the following:

19 (1) The total amount of the assessment.

20 (2) The amount of the penalty imposed under Section 1128 or
21 1128.1 that is included in the assessment.

22 (3) The facts that resulted in the charging of the penalty under
23 Section 1128 or 1128.1.

24 (w) To enable the Contractors' State License Board to verify
25 the employment history of an individual applying for licensure
26 pursuant to Section 7068 of the Business and Professions Code.

27 (x) To provide any peace officer with the Division of
28 Investigation in the Department of Consumer Affairs information
29 pursuant to subdivision (i) when the requesting peace officer has
30 been designated by the ~~Chief~~ *chief* of the Division of Investigation
31 and requests this information in the course of and as part of an
32 investigation into the commission of a crime or other unlawful act
33 when there is reasonable suspicion to believe that the crime or act
34 may be connected to the information requested and would lead to
35 relevant information regarding the crime or unlawful act.

36 (y) To enable the Labor Commissioner of the Division of Labor
37 Standards Enforcement in the Department of Industrial Relations
38 to identify, pursuant to Section 90.3 of the Labor Code, unlawfully
39 uninsured employers. The information shall be provided to the
40 extent permitted by federal law and regulations.

1 (z) To enable the Chancellor of the California Community
2 Colleges, in accordance with the requirements of Section 84754.5
3 of the Education Code, to obtain quarterly wage data, commencing
4 January 1, 1993, on students who have attended one or more
5 community colleges, to assess the impact of education on the
6 employment and earnings of students, to conduct the annual
7 evaluation of district-level and individual college performance in
8 achieving priority educational outcomes, and to submit the required
9 reports to the Legislature and the Governor. The information shall
10 be provided to the extent permitted by federal statutes and
11 regulations.

12 (aa) To enable the Public Employees' Retirement System to
13 seek criminal, civil, or administrative remedies in connection with
14 the unlawful application for, or receipt of, benefits provided under
15 Part 3 (commencing with Section 20000) of Division 5 of Title 2
16 of the Government Code.

17 (ab) To enable the State Department of Education, the University
18 of California, the California State University, and the Chancellor
19 of the California Community Colleges, pursuant to the
20 requirements prescribed by the federal American Recovery and
21 Reinvestment Act of 2009 (Public Law 111-5), to obtain quarterly
22 wage data, commencing July 1, 2010, on students who have
23 attended their respective systems to assess the impact of education
24 on the employment and earnings of those students, to conduct the
25 annual analysis of district-level and individual district or
26 postsecondary education system performance in achieving priority
27 educational outcomes, and to submit the required reports to the
28 Legislature and the Governor. The information shall be provided
29 to the extent permitted by federal statutes and regulations.

30 (ac) To provide the Agricultural Labor Relations Board with
31 employee, wage, and employer information, for use in the
32 investigation or enforcement of the
33 Alatorre-Zenovich-Dunlap-Berman Agricultural Labor Relations
34 Act of 1975 (Part 3.5 (commencing with Section 1140) of Division
35 2 of the Labor Code). The information shall be provided to the
36 extent permitted by federal statutes and regulations.

37 (ad) (1) To enable the State Department of Health Care
38 Services, the California Health Benefit Exchange, the Managed
39 Risk Medical Insurance Board, and county departments and
40 agencies to obtain information regarding employee wages,

1 California employer names and account numbers, employer reports
2 of wages and number of employees, and disability insurance and
3 unemployment insurance claim information, for the purpose of:

4 (A) Verifying or determining the eligibility of an applicant for,
5 or a recipient of, state health subsidy programs, limited to the
6 Medi-Cal Program, provided pursuant to Chapter 7 (commencing
7 with Section 14000) of Part 3 of Division 9 of the Welfare and
8 Institutions Code; the Healthy Families Program, provided pursuant
9 to Part 6.2 (commencing with Section 12693) of Division 2 of the
10 Insurance Code; and the Access for Infants and Mothers Program,
11 provided pursuant to Part 6.3 (commencing with Section 12695)
12 of Division 2 of the Insurance Code; where the verification or
13 determination is directly connected with, and limited to, the
14 administration of the state health subsidy programs referenced in
15 this subparagraph.

16 (B) Verifying or determining the eligibility of an applicant for,
17 or a recipient of, federal subsidies offered through the California
18 Health Benefit Exchange, provided pursuant to Title 22
19 (commencing with Section 100500) of the Government Code,
20 including federal tax credits and cost-sharing assistance pursuant
21 to the federal Patient Protection and Affordable Care Act (Public
22 Law 111-148), as amended by the federal Health Care and
23 Education Reconciliation Act of 2010 (Public Law 111-152), where
24 the verification or determination is directly connected with, and
25 limited to, the administration of the California Health Benefit
26 Exchange.

27 (C) Verifying or determining the eligibility of employees and
28 employers for health coverage through the Small Business Health
29 Options Program, provided pursuant to Section 100502 of the
30 Government Code, where the verification or determination is
31 directly connected with, and limited to, the administration of the
32 Small Business Health Options Program.

33 (2) The information provided under this subdivision shall be
34 subject to the requirements of, and provided to the extent permitted
35 by, federal law and regulations, including Part 603 of Title 20 of
36 the Code of Federal Regulations.

37 (ae) To provide any peace officer with the Investigations
38 Division of the Department of Motor Vehicles with information
39 pursuant to subdivision (i), when the requesting peace officer has
40 been designated by the Chief of the Investigations Division and

1 requests this information in the course of, and as part of, an
2 investigation into identity theft, counterfeiting, document fraud,
3 or consumer fraud, and there is reasonable suspicion that the crime
4 is a felony and that the information would lead to relevant evidence
5 regarding the identity theft, counterfeiting, document fraud, or
6 consumer fraud. The information provided pursuant to this
7 subdivision shall be provided to the extent permitted by federal
8 law and regulations, and to the extent the information is available
9 and accessible within the constraints and configurations of existing
10 department records. Any person who receives any information
11 under this subdivision shall make a written report of the
12 information to the Investigations Division of the Department of
13 Motor Vehicles, for filing under the normal procedures of that
14 division.

15 *(af) To enable the Department of Corrections and Rehabilitation*
16 *to obtain quarterly wage data of former inmates who have been*
17 *incarcerated within the prison system in order to assess the impact*
18 *of rehabilitation services or the lack of these services on the*
19 *employment and earnings of these former inmates. Quarterly data*
20 *for a former inmate's employment status and wage history shall*
21 *be provided for a period of one year, three years, and five years*
22 *following release. The data shall only be used for the purpose of*
23 *tracking outcomes for former inmates in order to assess the*
24 *effectiveness of rehabilitation strategies on the wages and*
25 *employment histories of those formerly incarcerated. The*
26 *information shall be provided to the department to the extent not*
27 *prohibited by federal law.*

28 *(ag) To enable the Department of Finance to prepare and submit*
29 *the report required by Section 13084 of the Government Code that*
30 *identifies all employers in California that employ 50 or more*
31 *employees who receive benefits from either of the following*
32 *programs: the Medi-Cal program (Chapter 7 (commencing with*
33 *Section 14000) of Part 3 of Division 9 of the Welfare and*
34 *Institutions Code) or the CalFresh program (Chapter 10*
35 *(commencing with Section 18900) of Part 6 of Division 9 of the*
36 *Welfare and Institutions Code). The information used for this*
37 *purpose shall be limited to information obtained pursuant to*
38 *Section 11026.5 of the Welfare and Institutions Code and from the*
39 *administration of personal income tax wage withholding pursuant*
40 *to Division 6 (commencing with Section 13000) and the disability*

1 *insurance program and may be disclosed to the Department of*
2 *Finance only for the purpose of preparing and submitting the*
3 *report and only to the extent not prohibited by federal law.*

4 *SEC. 1.8. Section 1095 of the Unemployment Insurance Code*
5 *is amended to read:*

6 1095. The director shall permit the use of any information in
7 his or her possession to the extent necessary for any of the
8 following purposes and may require reimbursement for all direct
9 costs incurred in providing any and all information specified in
10 this section, except information specified in subdivisions (a) to
11 (e), inclusive:

12 (a) To enable the director or his or her representative to carry
13 out his or her responsibilities under this code.

14 (b) To properly present a claim for benefits.

15 (c) To acquaint a worker or his or her authorized agent with his
16 or her existing or prospective right to benefits.

17 (d) To furnish an employer or his or her authorized agent with
18 information to enable him or her to fully discharge his or her
19 obligations or safeguard his or her rights under this division or
20 Division 3 (commencing with Section 9000).

21 (e) To enable an employer to receive a reduction in contribution
22 rate.

23 (f) To enable federal, state, or local ~~government~~ *governmental*
24 departments or agencies, subject to federal law, to verify or
25 determine the eligibility or entitlement of an applicant for, or a
26 recipient of, public social services provided pursuant to Division
27 9 (commencing with Section 10000) of the Welfare and Institutions
28 Code, or Part A of Title IV of the ~~Social Security Act~~, *federal*
29 *Social Security Act (42 U.S.C. Sec. 601 et seq.)*, where the
30 verification or determination is directly connected with, and limited
31 to, the administration of public social services.

32 (g) To enable county administrators of general relief or
33 assistance, or their representatives, to determine entitlement to
34 locally provided general relief or assistance, where the
35 determination is directly connected with, and limited to, the
36 administration of general relief or assistance.

37 (h) To enable state or local governmental departments or
38 agencies to seek criminal, civil, or administrative remedies in
39 connection with the unlawful application for, or receipt of, relief
40 provided under Division 9 (commencing with Section 10000) of

1 the Welfare and Institutions Code or to enable the collection of
2 expenditures for medical assistance services pursuant to Part 5
3 (commencing with Section 17000) of Division 9 of the Welfare
4 and Institutions Code.

5 (i) To provide any law enforcement agency with the name,
6 address, telephone number, birth date, social security number,
7 physical description, and names and addresses of present and past
8 employers, of any victim, suspect, missing person, potential
9 witness, or person for whom a felony arrest warrant has been
10 issued, when a request for this information is made by any
11 investigator or peace officer as defined by Sections 830.1 and
12 830.2 of the Penal Code, or by any federal law enforcement officer
13 to whom the Attorney General has delegated authority to enforce
14 federal search warrants, as defined under Sections 60.2 and 60.3
15 of Title 28 of the Code of Federal Regulations, as amended, and
16 when the requesting officer has been designated by the head of
17 the law enforcement agency and requests this information in the
18 course of and as a part of an investigation into the commission of
19 a crime when there is a reasonable suspicion that the crime is a
20 felony and that the information would lead to relevant evidence.
21 The information provided pursuant to this subdivision shall be
22 provided to the extent permitted by federal law and regulations,
23 and to the extent the information is available and accessible within
24 the constraints and configurations of existing department records.
25 Any person who receives any information under this subdivision
26 shall make a written report of the information to the law
27 enforcement agency that employs him or her, for filing under the
28 normal procedures of that agency.

29 (1) This subdivision shall not be construed to authorize the
30 release to any law enforcement agency of a general list identifying
31 individuals applying for or receiving benefits.

32 (2) The department shall maintain records pursuant to this
33 subdivision only for periods required under regulations or statutes
34 enacted for the administration of its programs.

35 (3) This subdivision shall not be construed as limiting the
36 information provided to law enforcement agencies to that pertaining
37 only to applicants for, or recipients of, benefits.

38 (4) The department shall notify all applicants for benefits that
39 release of confidential information from their records will not be
40 protected should there be a felony arrest warrant issued against

1 the applicant or in the event of an investigation by a law
2 enforcement agency into the commission of a felony.

3 (j) To provide public employee retirement systems in California
4 with information relating to the earnings of any person who has
5 applied for or is receiving a disability income, disability allowance,
6 or disability retirement allowance, from a public employee
7 retirement system. The earnings information shall be released only
8 upon written request from the governing board specifying that the
9 person has applied for or is receiving a disability allowance or
10 disability retirement allowance from its retirement system. The
11 request may be made by the chief executive officer of the system
12 or by an employee of the system so authorized and identified by
13 name and title by the chief executive officer in writing.

14 (k) To enable the Division of Labor Standards Enforcement in
15 the Department of Industrial Relations to seek criminal, civil, or
16 administrative remedies in connection with the failure to pay, or
17 the unlawful payment of, wages pursuant to Chapter 1
18 (commencing with Section 200) of Part 1 of Division 2 of, and
19 Chapter 1 (commencing with Section 1720) of Part 7 of Division
20 2 of, the Labor Code.

21 (l) To enable federal, state, or local governmental departments
22 or agencies to administer child support enforcement programs
23 under *Part D* of Title IV of the federal Social Security Act (42
24 U.S.C. Sec. 651 et seq.).

25 (m) To provide federal, state, or local governmental departments
26 or agencies with wage and claim information in its possession that
27 will assist those departments and agencies in the administration
28 of the Victims of Crime Program or in the location of victims of
29 crime who, by state mandate or court order, are entitled to
30 restitution that has been or can be recovered.

31 (n) To provide federal, state, or local governmental departments
32 or agencies with information concerning any individuals who are
33 or have been:

34 (1) Directed by state mandate or court order to pay restitution,
35 fines, penalties, assessments, or fees as a result of a violation of
36 law.

37 (2) Delinquent or in default on guaranteed student loans or who
38 owe repayment of funds received through other financial assistance
39 programs administered by those agencies. The information released

1 by the director for the purposes of this paragraph shall not include
2 unemployment insurance benefit information.

3 (o) To provide an authorized governmental agency with any or
4 all relevant information that relates to any specific workers'
5 compensation insurance fraud investigation. The information shall
6 be provided to the extent permitted by federal law and regulations.
7 For the purposes of this subdivision, "authorized governmental
8 agency" means the district attorney of any county, the office of
9 the Attorney General, the Contractors' State License Board, the
10 Department of Industrial Relations, and the Department of
11 Insurance. An authorized governmental agency may disclose this
12 information to the State Bar, the Medical Board of California, or
13 any other licensing board or department whose licensee is the
14 subject of a workers' compensation insurance fraud investigation.
15 This subdivision shall not prevent any authorized governmental
16 agency from reporting to any board or department the suspected
17 misconduct of any licensee of that body.

18 (p) To enable the Director of ~~the Bureau for Private~~
19 ~~Postsecondary Education, Consumer Affairs~~, or his or her
20 representatives, to access unemployment insurance quarterly wage
21 data on a case-by-case basis to verify information on school
22 administrators, school staff, and students provided by those schools
23 who are being investigated for possible violations of Chapter 8
24 (commencing with Section 94800) of Part 59 of Division 10 of
25 Title 3 of the Education Code.

26 (q) To provide employment tax information to the tax officials
27 of Mexico, if a reciprocal agreement exists. For purposes of this
28 subdivision, "reciprocal agreement" means a formal agreement to
29 exchange information between national taxing officials of Mexico
30 and taxing authorities of the State Board of Equalization, the
31 Franchise Tax Board, and the Employment Development
32 Department. Furthermore, the reciprocal agreement shall be limited
33 to the exchange of information that is essential for tax
34 administration purposes only. Taxing authorities of the State of
35 California shall be granted tax information only on California
36 residents. Taxing authorities of Mexico shall be granted tax
37 information only on Mexican nationals.

38 (r) To enable city and county planning agencies to develop
39 economic forecasts for planning purposes. The information shall
40 be limited to businesses within the jurisdiction of the city or county

1 whose planning agency is requesting the information, and shall
2 not include information regarding individual employees.

3 (s) To provide the State Department of Developmental Services
4 with wage and employer information that will assist in the
5 collection of moneys owed by the recipient, parent, or any other
6 legally liable individual for services and supports provided pursuant
7 to Chapter 9 (commencing with Section 4775) of Division 4.5 of,
8 and Chapter 2 (commencing with Section 7200) and Chapter 3
9 (commencing with Section 7500) of Division 7 of, the Welfare
10 and Institutions Code.

11 (t) To provide the State Board of Equalization with employment
12 tax information that will assist in the administration of tax
13 programs. The information shall be limited to the exchange of
14 employment tax information essential for tax administration
15 purposes to the extent permitted by federal law and regulations.

16 (u) Nothing in this section shall be construed to authorize or
17 permit the use of information obtained in the administration of this
18 code by any private collection agency.

19 (v) The disclosure of the name and address of an individual or
20 business entity that was issued an assessment that included
21 penalties under Section 1128 or 1128.1 shall not be in violation
22 of Section 1094 if the assessment is final. The disclosure may also
23 include any of the following:

24 (1) The total amount of the assessment.

25 (2) The amount of the penalty imposed under Section 1128 or
26 1128.1 that is included in the assessment.

27 (3) The facts that resulted in the charging of the penalty under
28 Section 1128 or 1128.1.

29 (w) To enable the Contractors' State License Board to verify
30 the employment history of an individual applying for licensure
31 pursuant to Section 7068 of the Business and Professions Code.

32 (x) To provide any peace officer with the Division of
33 Investigation in the Department of Consumer Affairs information
34 pursuant to subdivision (i) when the requesting peace officer has
35 been designated by the ~~Chief~~ *chief* of the Division of Investigation
36 and requests this information in the course of and as part of an
37 investigation into the commission of a crime or other unlawful act
38 when there is reasonable suspicion to believe that the crime or act
39 may be connected to the information requested and would lead to
40 relevant information regarding the crime or unlawful act.

1 (y) To enable the Labor Commissioner of the Division of Labor
2 Standards Enforcement in the Department of Industrial Relations
3 to identify, pursuant to Section 90.3 of the Labor Code, unlawfully
4 uninsured employers. The information shall be provided to the
5 extent permitted by federal law and regulations.

6 (z) To enable the Chancellor of the California Community
7 Colleges, in accordance with the requirements of Section 84754.5
8 of the Education Code, to obtain quarterly wage data, commencing
9 January 1, 1993, on students who have attended one or more
10 community colleges, to assess the impact of education on the
11 employment and earnings of students, to conduct the annual
12 evaluation of district-level and individual college performance in
13 achieving priority educational outcomes, and to submit the required
14 reports to the Legislature and the Governor. The information shall
15 be provided to the extent permitted by federal statutes and
16 regulations.

17 (aa) To enable the Public Employees' Retirement System to
18 seek criminal, civil, or administrative remedies in connection with
19 the unlawful application for, or receipt of, benefits provided under
20 Part 3 (commencing with Section 20000) of Division 5 of Title 2
21 of the Government Code.

22 (ab) To enable the State Department of Education, the University
23 of California, the California State University, and the Chancellor
24 of the California Community Colleges, pursuant to the
25 requirements prescribed by the federal American Recovery and
26 Reinvestment Act of 2009 (Public Law 111-5), to obtain quarterly
27 wage data, commencing July 1, 2010, on students who have
28 attended their respective systems to assess the impact of education
29 on the employment and earnings of those students, to conduct the
30 annual analysis of district-level and individual district or
31 postsecondary education system performance in achieving priority
32 educational outcomes, and to submit the required reports to the
33 Legislature and the Governor. The information shall be provided
34 to the extent permitted by federal statutes and regulations.

35 (ac) To provide the Agricultural Labor Relations Board with
36 employee, wage, and employer information, for use in the
37 investigation or enforcement of the
38 Alatorre-Zenovich-Dunlap-Berman Agricultural Labor Relations
39 Act of 1975 (Part 3.5 (commencing with Section 1140) of Division

2 of the Labor Code). The information shall be provided to the extent permitted by federal statutes and regulations.

(ad) (1) To enable the State Department of Health Care Services, the California Health Benefit Exchange, the Managed Risk Medical Insurance Board, and county departments and agencies to obtain information regarding employee wages, California employer names and account numbers, employer reports of wages and number of employees, and disability insurance and unemployment insurance claim information, for the purpose of:

(A) Verifying or determining the eligibility of an applicant for, or a recipient of, state health subsidy programs, limited to the Medi-Cal Program, provided pursuant to Chapter 7 (commencing with Section 14000) of Part 3 of Division 9 of the Welfare and Institutions Code; the Healthy Families Program, provided pursuant to Part 6.2 (commencing with Section 12693) of Division 2 of the Insurance Code; and the Access for Infants and Mothers Program, provided pursuant to Part 6.3 (commencing with Section 12695) of Division 2 of the Insurance Code; where the verification or determination is directly connected with, and limited to, the administration of the state health subsidy programs referenced in this subparagraph.

(B) Verifying or determining the eligibility of an applicant for, or a recipient of, federal subsidies offered through the California Health Benefit Exchange, provided pursuant to Title 22 (commencing with Section 100500) of the Government Code, including federal tax credits and cost-sharing assistance pursuant to the federal Patient Protection and Affordable Care Act (Public Law 111-148), as amended by the federal Health Care and Education Reconciliation Act of 2010 (Public Law 111-152), where the verification or determination is directly connected with, and limited to, the administration of the California Health Benefit Exchange.

(C) Verifying or determining the eligibility of employees and employers for health coverage through the Small Business Health Options Program, provided pursuant to Section 100502 of the Government Code, where the verification or determination is directly connected with, and limited to, the administration of the Small Business Health Options Program.

(2) The information provided under this subdivision shall be subject to the requirements of, and provided to the extent permitted

1 by, federal law and regulations, including Part 603 of Title 20 of
2 the Code of Federal Regulations.

3 (ae) To provide any peace officer with the Investigations
4 Division of the Department of Motor Vehicles with information
5 pursuant to subdivision (i), when the requesting peace officer has
6 been designated by the Chief of the Investigations Division and
7 requests this information in the course of, and as part of, an
8 investigation into identity theft, counterfeiting, document fraud,
9 or consumer fraud, and there is reasonable suspicion that the crime
10 is a felony and that the information would lead to relevant evidence
11 regarding the identity theft, counterfeiting, document fraud, or
12 consumer fraud. The information provided pursuant to this
13 subdivision shall be provided to the extent permitted by federal
14 law and regulations, and to the extent the information is available
15 and accessible within the constraints and configurations of existing
16 department records. Any person who receives any information
17 under this subdivision shall make a written report of the
18 information to the Investigations Division of the Department of
19 Motor Vehicles, for filing under the normal procedures of that
20 division.

21 (af) *To enable the Department of Corrections and Rehabilitation*
22 *to obtain quarterly wage data of former inmates who have been*
23 *incarcerated within the prison system in order to assess the impact*
24 *of rehabilitation services or the lack of these services on the*
25 *employment and earnings of these former inmates. Quarterly data*
26 *for a former inmate's employment status and wage history shall*
27 *be provided for a period of one year, three years, and five years*
28 *following release. The data shall only be used for the purpose of*
29 *tracking outcomes for former inmates in order to assess the*
30 *effectiveness of rehabilitation strategies on the wages and*
31 *employment histories of those formerly incarcerated. The*
32 *information shall be provided to the department to the extent not*
33 *prohibited by federal law.*

34 (ag) *To provide, to the extent permitted by federal law and*
35 *regulations, the Student Aid Commission with wage information*
36 *in order to verify the employment status of an individual applying*
37 *for a Cal Grant C award pursuant to subdivision (c) of Section*
38 *69439 of the Education Code.*

39 (ah) *To enable the Department of Finance to prepare and submit*
40 *the report required by Section 13084 of the Government Code that*

1 identifies all employers in California that employ 50 or more
2 employees who receive benefits from either of the following
3 programs: the Medi-Cal program (Chapter 7 (commencing with
4 Section 14000) of Part 3 of Division 9 of the Welfare and
5 Institutions Code) or the CalFresh program (Chapter 10
6 (commencing with Section 18900) of Part 6 of Division 9 of the
7 Welfare and Institutions Code). The information used for this
8 purpose shall be limited to information obtained pursuant to
9 Section 11026.5 of the Welfare and Institutions Code and from the
10 administration of personal income tax wage withholding pursuant
11 to Division 6 (commencing with Section 13000) and the disability
12 insurance program and may be disclosed to the Department of
13 Finance only for the purpose of preparing and submitting the
14 report and only to the extent not prohibited by federal law.

15 SEC. 2. (a) Section 1.2 of this bill incorporates amendments
16 to Section 1095 of the Unemployment Insurance Code proposed
17 by both this bill and Senate Bill 1028. It shall only become
18 operative if (1) both bills are enacted and become effective on or
19 before January 1, 2015, (2) each bill amends Section 1095 of the
20 Unemployment Insurance Code, and (3) Assembly Bill 1792 is not
21 enacted or as enacted does not amend that section, and (4) this
22 bill is enacted after Senate Bill 1028, in which case Sections 1,
23 1.5, and 1.8 of this bill shall not become operative.

24 (b) Section 1.5 of this bill incorporates amendments to Section
25 1095 of the Unemployment Insurance Code proposed by both this
26 bill and Assembly Bill 1792. It shall only become operative if (1)
27 both bills are enacted and become effective on or before January
28 1, 2015, (2) each bill amends Section 1095 of the Unemployment
29 Insurance Code, (3) Senate Bill 1028 is not enacted or as enacted
30 does not amend that section, and (4) this bill is enacted after
31 Assembly Bill 1792 in which case Sections 1, 1.2, and 1.8 of this
32 bill shall not become operative.

33 (c) Section 1.8 of this bill incorporates amendments to Section
34 1095 of the Unemployment Insurance Code proposed by this bill,
35 Senate Bill 1028, and Assembly Bill 1792. It shall only become
36 operative if (1) all three bills are enacted and become effective on
37 or before January 1, 2015, (2) all three bills amend Section 1095
38 of the Unemployment Insurance Code, and (3) this bill is enacted
39 after Senate Bill 1028 and Assembly Bill 1792, in which case
40 Sections 1, 1.2, and 1.5 of this bill shall not become operative.

~~SEC. 2.~~

SEC. 3. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.

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